

Federal Defenders  
OF NEW YORK, INC.

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton  
Executive Director

Southern District of New York  
Jennifer L. Brown  
Attorney-in-Charge

December 20, 2023

*By e-mail and ECF*

Honorable Ona T. Wang  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *United States v. Kelly Josek*, 23 Mag. 7565 (UA)

Dear Judge Wang:

I write to respectfully request that the Court add as a condition of pretrial release that Ms. Josek must surrender to the New Jersey authorities by December 22, 2023; specifically, to the Bergen County Justice Center, 10 Main Street, Hackensack, NJ 07601, in connection with Complaint No. 0215 W 2023 381 (*State of New Jersey v. Kelly Josek*). The Government – per Assistant U.S. Attorney Ryan Nees – takes no position on the request.

Ms. Josek was presented on a Rule 5(c)(3) warrant from the Eastern District of Texas on December 15, 2023. The Court set conditions of release, including a \$25,000 personal recognizance bond, co-signed by two financially responsible persons. Ms. Josek was not released from custody however, because of an outstanding warrant issued on December 13, 2023 by the Englewood City Municipal Court in Englewood, New Jersey.

On around December 18, 2023, Ms. Josek was transferred from federal custody to state custody in Queens, New York, where she is currently being held awaiting a determination as to how she will be transferred to New Jersey. Ms. Josek's counsel has informed me that the District Attorney's office will consent to Ms. Josek's release if the proposed additional condition set forth above is added to the conditions of release imposed on December 15, 2023. (In the alternative, Ms. Josek will be taken to Rikers Island to await extradition to New Jersey. Ms. Josek was previously assaulted in Rikers, and we would like to avoid her having to spend any period of time there.) Accordingly, I respectfully request that the Court add the condition set forth above.

Approved.



December 20, 2023

Honorable Ona T. Wang  
December 20, 2023

Page 2

Re: *United States v. Kelly Josek*, 23 Mag. 7565 (UA)

At the proceeding on December 15, 2023, the Court indicated that I could write directly to the Court in connection with Ms. Josek's case. If the Court is not available to address this request at this time, please let me know and I will direct it to the Duty Magistrate as there is a significant time constraint.

If the Court grants this request, I respectfully request that a copy be e-mailed to me so that I can provide it as soon as possible to counsel in Queens.

Thank you for your consideration of this request.

Respectfully submitted,

/s/ \_\_\_\_\_  
Martin Cohen  
Assistant Federal Defender  
(212) 417-8737

cc: Ryan Nees, Esq., by e-mail and ECF  
Christina Venable, U.S. Pretrial Services, by e-mail